

Yuma County Juvenile Court
Prison Rape Elimination Act
Administrative Investigative Report Guideline

The PREA Investigative Plan is a guideline in completing an investigation. The intent of this guideline is to provide the necessary steps that should be taken in order to document relevant information in the Investigation Report. The Plan must be committed to paper which will provide an overview of the bases to cover. It allows the Investigator to be in charge of the investigative process.

Developing an efficient and effective PREA Administrative Investigative Plan consists of determining that the allegations made are PREA, identifying all participants, developing questions that may be needed to ask witnesses, and analyzing findings.

Step 1: What are the allegations? The investigator should review any written documentation of the complaint/allegation, and if the complaint is unclear or needs clarification, i.e., date of incident not documented or participants unknown, meet with the person who made the complaint/allegation to obtain clarification.

Step 2: Identify the participants/witnesses and stress confidentiality: Using the PREA Investigation Plan, make a list of the known participants or witnesses who will need to be interviewed. During the investigation it is possible that additional names of witnesses or participants may become known. It is important for the investigator to stress confidentiality with any staff involved in the investigative process.

Step 3: Review all associated documentation and recordings: Review all recorded video applicable to the complaint/allegation's time, date and location. As needed, reasonably review additional dates prior and post the reported complaint/allegation time and date to ensure all possible timeframes have been accounted for.

Step 4: Develop questions and a timeline: Develop a list of questions for each person to be interviewed. Some questions may be the same, but some may be specific to the person's involvement in the complaint/allegation. During the course of the investigation it may be determined that follow up is needed and additional questions asked for clarification. The investigation timeline must coincide with policy requirements i.e. 5 business days. If additional time is needed, this should be communicated to the Director immediately so an extension may be approved.

Step 5: Analyze all findings to ensure accurate conclusions in the final report: Conclusions should be based on thorough review of all interviews and documentary evidence.

Step 6: Final Report: Use the format on page 2 of this plan or Attachment 2 of the Internal Investigation policy to complete the final report.

Administrative Investigation Report Format

SECTION I – Reason for investigation (identify the event):

Example: grievance received from inmate John Smith on 11/29/09 alleging sexual harassment by staff. Inmate Smith alleges that Officer Doe repeatedly comments on how cute he is and how she likes his biceps.

SECTION II- Attachments:

Attachments may include incident reports, juvenile statements, video recordings, jolts reports, etc. The attachments will be listed in this section and attached at the end of the report document.

SECTION III- Overview of the allegation/incident:

Provide a brief overview of the allegation/incident, when and how it was reported, initial action taken, and when approved and assigned for investigation.

SECTION IV- Summary of interviews:

The documentation in this portion of the report will only summarize each interview to provide a basis for the *conclusion* section of this report. The names of persons present, and date and begin/end time of interviews. Each interview will be recorded.

SECTION V – Findings/conclusion:

Findings and conclusions will be based on documented evidence and interviews.
Example: based on video footage showing that Officer Doe did not enter juvenile cell at the time of alleged incident, investigation finds that this case is unfounded.

PREA INVESTIGATION WORKING DOCUMENT

Date: _____ **Investigator:** _____

Name of Complainant: _____

Name of alleged participant(s), include title(s) if applicable: _____

FACTS:

Date of Initial Report: _____ **Time of Initial Report:** _____

Date of Incident(s): _____ **Time of Incident:** _____

Place Incident occurred: _____

Description of the incident/allegation (what took place):

Frequency and type of alleged PREA violation:

Witness(s): _____

Are video recordings available? (List cameras): _____

Have any previous PREA complaints been received on identified participant(s)?

____ Yes ____ No **If Yes, please list type and action taken:** _____

[illegible]